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# The Pending Issues.—Equal Rights to all Men.

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## SPEECH

OF

## SENATOR GIBSON,

ON THE

### Joint Resolutions on National Affairs.

IN SENATE, MARCH 8, 1866.

Mr. President—The resolutions now under discussion call upon us for a deliberate expression of the sentiments of this body, touching the great principles which have animated our exertions for the last five years, and for the maintenance and establishment of which the people of this State have poured out their treasure and their blood without stint and without measure. Why, and in what spirit should we discuss them, and what necessity exists for their present agitation or passage? And first, let us lay aside, for the time, so far as is possible, all mere party spirit, and rise to the level of the principles to be examined, free alike from the bitterness, as well as the strife always arising from mere partisan struggles. The contest of fire and blood and slaughter through which we have but lately passed, was for certain fixed and immutable principles, above and beyond names, parties and partisans.

When the rebellion broke out with the Southern thunder of stolen guns and ammunition fired on Fort Sumter, the reverberation awoke an answering thunder in the North, that never slumbered or slept, till its dreadful peals had shattered the Confederacy of Southern traitors and their Northern abettors into a thousand atoms, and sank them, it was hoped, into an ocean so deep, that line and plummet could not reach them, nor any political resurrection arouse them.

But he that hoped or expected that the spirit which instigated this rebellion in its origin, and actuated it throughout in all its efforts, was destroyed merely by the defeat of its armies and the destruction of its batteries, is entirely mistaken.

It, therefore, becomes necessary to continue

the contest and more firmly establish and cement the principles for and on which it was fought.

Cardinal among these were the questions whether the United States was a *NATION* or not? whether it had existence as a *GOVERNMENT* or not? whether it had the powers and rights, the privileges and duties of *NATIONAL EXISTENCE*? or whether, on the contrary, it was merely a *confederacy*, connected together only by a rope of sand, with a right in any of the States to secede at will—a *mere hulk*, drifting on the great ocean of nations, crowded with passengers and property, sailors and crew, servants and officers—but no one having power to control; the right to obedience being dependent on the will of the one ordered. Her condition desperate, and none protecting—by none protected. Wholly unable to govern herself, of course powerless to defend the rights of her crew or passengers, against the wrongful acts of power and force.

On the contrary, the Unionist claimed that these States were a *united government*, and as such, were capable of self-protection, and entitled, of right, to use all the measures, necessary or required, to preserve not merely her existence, but also the personal and political rights of the people composing the nation.

The Unionist thought our national existence and the rights of the people thereby established and protected, were worth *fighting for*—worth *bleeding for*—aye, if necessary, *worth dying for*; and many, many of them fought, and bled and died in the cause, and their names are hallowed, their graves the Meccas of the patriot, where

"When Spring, with dewy fingers cold,  
Returns to deck their hallowed mould,  
She there shall dress a sweeter sod  
Than fancy's feet have ever trod  
By fairy hands their knell is rung,  
By forms unseen their dirge is sung;  
There Honor comes—a pilgrim grey—  
To bless the turf that wraps their clay."

In the gigantic struggle through which the Nation has passed, these principles have been established, and indeed, cemented as it were with the blood and treasure of the Nation. Our revolutionary fathers handed down to us, as a sacred legacy, the liberties of this country—the Unionists of the last five years, have proved themselves no degenerate sons, but they, in like manner, have worked out, through the fire and slaughter and persecution of war, and will hand down to their sons, the priceless legacy of National existence, and personal and political rights preserved and purified—enabling them, we trust, in all future time, to enjoy unimpaired, the blessings of free institutions.

But why, say some, continue the fight after the enemy has been beaten?

This was the chief argument made use of in the peaceful contest of ballots and not bullets, through which we passed at the election in November last. It was then said, we have fought and conquered, let us take these prodigal men and women, and killing the fatted calf, set down to eat and drink of the flesh pots, and forget in our joyousness at the return of peace, the struggles and sorrows, the sufferings and cruelties we have endured, and let us forgive our "erring brethren," who fought and slew us—and we are cited to the example and teachings of Him who spake as never man spake, that this was our duty as men and as Christians.

The Unionist answered this specious device of the enemy by saying: "We will forgive them, when they repent of their sins and show works meet for repentance." But we cannot forgive them so long as we see the same spirit stirring within them, which originated the contest. They are only seeking by new courses, or strange devices, to accomplish the same wicked end which actuated them in their original crime.

Would it have been good policy, Mr. President, to have allowed the fruits of four years of war and suffering by us, to have been lost to our cause by not following up, to their legitimate results, the victories we had obtained?

Should we spend thousands of millions of treasure, and lose hundreds of thousands of lives, of brothers, and sons, and fathers, to sustain our principles, and establish and cement them, and having conquered, sit idly down and lay our heads in the lap of this Southern Delilah and have our successes, costing so much in blood and treasure, all flittered away by the cunning persuasions and soft words of the betrayer? If we did, we should deserve, after being sheared mentally, morally and physically, to be aroused as was Sampson of olden time, under like circumstances, with the cry of the slayer and assassin, "The Philistines be upon thee!"

There was, yea there is danger of these results. They who have gone through a great and exhausting struggle, of whatever kind it may be,

are necessarily weakened and unnerved in some respects, and to them the cry of peace and magnanimity have always their charms. But the Unionists listened not to the voice of the charmer, and from thence, if we will but continue our vigilance, we shall yet pluck the diamond of safety.

What was it originated this mighty struggle but the lust of power and wealth on the part of the South? And this aggrandizement was to be obtained, as is now well known, by and through African slavery, unbounded and unrestricted, save only by man's cupidity. This could never be obtained while in union with the North, and secession became therefore a necessity. The conclusion being foregone, it was easy to find a cause, and the election of Mr. Lincoln was used as the occasion.

The rebellion broke out, and soon the North found that, to restore the Union and conquer a peace, required the most superhuman exertions. These were all put forth, and well we remember how close and doubtful seemed the issue. Then, and not till then, did the North appreciate the magnitude of the contest, and when this was seen we were not long in seizing the remedy—the axe was laid at the root of the tree, and cutting loose from our prejudices, we were blessed with light and success.

The colored race of the south—the neglected, benighted, oppressed African—"God's image disinherited"—was made free—received as a soldier in the Union ranks—his services accepted anywhere and everywhere and at anything. He fought on the field of battle; he watched as a scout; he was used as a spy; he buried the fallen in battle; carried the wounded from the field; he nursed the sick in the hospital; he dug the intrenchments and defended them with his musket. He advanced with the forlorn hope, and laid down his life with the rest. His courage, though oft denied, before it was tried, is not denied now. His blood was poured out for the union cause. He sent into actual service over 200,000 soldiers, and his race was nobly represented among the slain as well as the living, in every battle field, after his services were accepted. But this was only a tithe of his good deeds. He relieved our wounded and imprisoned soldiers at the South, and guided them always in safety to freedom. And over and above, and beyond all, he was faithful and loyal to the Union. In all the South, no matter how dark our cause looked, or how black the prospect, the colored man remained firmly our friend. He was faithful among the faithless. And when this was fully seen and understood, and the true cause of the war known, our statesmen advised and our Commander-in-Chief proclaimed his freedom and that of his race, giving the faith of the nation as his assurance of protection, and with that glorious decree there was taken from the enemy and added to the Union side in mere numbers, and that is but a small way of estimating the force of this change, over four millions of human beings? Who shall tell the effect?

Physically, it was a mighty blow, but morally, it was immense. It reached every State and

every county, every plantation and every family, at the south. It stood beside every table, and by night was about every couch; and though no ghost, but real, actual and palpable, yet it had ghostly power; and to young and old, man and woman, it carried terror, for they could not but think ceaselessly, with all the fears of conscious guilt, of how they had abused and cruelly treated him, who had thus become, if he chose his own avenger.

This down-trodden race, slaves no longer, became thus by this great decree, FREEDMEN, and entitled to protection, not only by the law, as being equal to any others before the law, but also as having fought for and with us; for is not he who sheds his blood with us, and in our cause, entitled to share with us in the privileges secured by his courage and faithfulness, as well as ours. "He who sheds his blood with me is my brother," and ought to be treated as such. Humanity and good policy alike require it, and justice demands it.

Does any one suppose that the conscience of the North will be satisfied with handing our colored brother and friend, bound hand and foot, and delivered over to the treatment he is certain to receive at the hands of his old master, when the cord that binds him is loosened, the northern soldier withdrawn, and the Freedman's Bureau abandoned? Will the northern people, at the mere signal of the politician, close their eyes, and not see, shut their ears, and refuse to hear the sufferings and groans that will certainly arise from the fierce spirit of the South, once let loose from the terror or northern power and northern bayonets?

Has that fell spirit been quelled? Has the Ethiopian changed his skin, or the leopard his spots? Has the South shown the slightest sorrow or repentance for its numerous and black-hearted sins? Has it done any work meet for repentance? Look over the whole calendar of what it has done, and point, if you can, to any thing in that direction. We have only to look at their legislation to show that the virus still remains, animating with its deadly spirit the law-making power. It is certainly fair to judge the South, and their alleged repentance and willingness to accept the result of the war, by the public acts of their representatives. The people are fairly chargeable with all that is done or omitted by those whom they have elected to act for them since the war terminated. And how do we find them acting? Are they seeking to effectuate and enforce the principles on which the war terminated, or those to which they have held all through the struggle, yielding only to superior power and force, and yielding no more than they could help? What do we find them enacting? Laws for the preservation of the lives, liberty and property of the freedmen? Laws enabling them to purchase, hold and take real and personal estate, and to sell and convey the same at pleasure? Laws to furnish them with the means of education—to enable them to go from place to place—to work for whom and at such wages as they choose—and lastly, and what is of vital importance to them, enactments making the courts

of law accessible to them, and giving them the privileges of witnesses and the right of testifying? There is nothing of the kind. If given at all, in any one respect, it is so guarded, limited and restricted as to be of no substantial benefit. It is only necessary to peruse the shameful black code of South Carolina, or that of Louisiana, worse, if it be possible, and that of Alabama, to be painfully alive, to how little appreciation the southern people have of the right "to life, liberty and the pursuit of happiness," inherent now in the freedmen, as well as the white, and which the latter is bound now to respect.

"Colored children between the ages mentioned [eighteen and twenty-one] who have neither father nor mother living in the district in which they are found, or whose parents are paupers, or unable to afford them a comfortable maintenance, or whose parents are not teaching them habits of industry and honesty, or are persons of notoriously bad character, or are vagrants, or have been convicted of infamous offenses, and colored children, in all cases where they are in danger of moral contamination, may be bound as apprentices by the district judge or one of the magistrates for the aforesaid term."

The case of Mississippi is much worse, as the following evidence very clearly shows:

1. The Legislature rejected, almost unanimously, the Constitutional amendment abolishing slavery.
2. The same body established a state militia system, and ordered that its troops should wear the old confederate gray as their uniform.
3. It changed the name of a county to Davis.
4. It levies taxes upon almost everybody and everything, but exempts blind and disabled confederate soldiers, and provision is also made for supplying maimed soldiers with artificial limbs, at the public cost.
5. Resolutions were adopted for erecting a grand national monument to the gallant dead of the state who fell in the late memorable struggle.
6. Three commissioners were appointed to proceed to Washington to obtain the removal of the federal colored troops from the state.
7. The governor of the state has issued an order to disarm the negroes.
8. A bill was passed, ostensibly to confer civil rights upon the freedmen, but its details re such that the fewer the rights which the negro realizes under it, the better he will be off.

It would seem from the variety of their devices, as though their whole thoughts had been addressed to the question of how they could most firmly and effectually retain and control the work and labor of the freedmen, and yet, not subject themselves to the authority of the United States, under the amendment of the Constitution abolishing slavery, and authorizing the legislation necessary to enforce the provision. No one can have failed to notice that some of the rebel states, while ratifying that amendment, accompanied it with a deliberate reservation, that nothing therein should be deemed as granting power to Congress over the freedmen subsequently. And in some of these states, we find

enactments forbidding the freedman from owning any land; requiring him to always live in one parish, never to leave the employment of one till he has hired out to another; and not to leave an employer at all without his consent, or without leave from some other white man, in the same town and holding an office; declaring him a disorderly person if he violates any of these statutes, or refuses or neglects to work, or disobeys the orders of his master, and punishes him with imprisonment and stripes. In case of his being found guilty or disorderly, or violating these black laws, he can be bound out to service for years. The system of slavery is thus substantially restored, and the constitutional enactment easily avoided by finding or declaring the freedman guilty of *some crime*, or something that is called a crime. It is also evaded by binding out to service all children till they reach a certain age, and also any person who does not work or refuses to work, or is found traveling without a pass, which he can only obtain from his employer.

If the freedman is abused or insulted, or deprived of his rights or his property, or his wife or children taken from him, he has now the freedman's court or bureau to resort to for redress, and there his evidence and that of his wife and children and others of his race is received, and if, on examination, his case is one proper for relief, his wrongs are redressed. The act establishing that tribunal is, however, temporary in its character, and expires by its own limitation in one year after the war ceased. The congress foresaw, that if this law was allowed to expire, and no substitute enacted, the freedmen would be left naked in the hands of their enemies, and therefore enacted the act, which has lately been vetoed by the president.

If the freedmen's bureau shall expire, and no new law be in the meantime enacted, and the freedmen thus left without protection from the merciless hands of their late masters, it will be the most ungrateful and unmerciful act, that was ever perpetrated since the world began. Shall we of the North, the people of the State of New York, or we, their representatives, be guilty of such a gross and shameful breach of faith and confidence? If so, let us take from the summit of this capitol the statue of Justice, that principle whose seat is in the bosom of God, and which the artist symbolized so well in the representation surmounting the dome above this chamber—"the blinded brow, to show the stern singleness of heart; the scales, to weigh the merits of the case; and the keen sword, the agent of a sudden and complete retribution." Let us, at least, if we do not take down the statue, remove the scales and sword, for neither are longer needed, when we are so regardless of our plighted faith to protect those freedmen in the full enjoyment of their rights.

If we are consenting to this crime, or having part or lot in it, we may be assured our confidence will bring on again, and that full soon, this desperate battle to fight over again; and it so, we may well fear, that after such wicked disregard and unfaithfulness to those of our race who helped us before, the God of battles, the

God of justice, who fought with us then—our pillar of cloud by day and of fire by night—will be in that coming contest, a *Nemesis* avenging, and if He do not destroy, will suffer us to fight alone; and we shall not have, or deserve, the aid of the freedman, as he will not fail to remember our shameful disregard of his former faithfulness in our cause.

The means for protecting the life of this nation and the rights of the freedmen from the disarmed rebel of the South, are in our own hands and power. We can use them if we will, and mark, Sir, I would not counsel the *abuse* of those means. Those means lie in the conditions we may reasonably and properly impose on the lately armed and rebellious States, before we shall receive them or their representatives into full national relations; and in the enacting of suitable legislation for the establishment and permanent protection of the rights guaranteed to the freedmen.

First, Is such legislation, and the imposition of such conditions, necessary and expedient?

Passing for the present the necessity of legislation, let us look at the conditions necessary to be imposed, and the right to impose them.

In dealing with this question let us look at it *practically* and in the light of facts, and not be carried away by mere theories and abstractions.

The southern states seceded from the Union, in fact. They passed ordinances of secession, and organized a rebellion against the government, and maintained by civil war, a separate existence for over four years. During all this time, they were actually, as much out of the Union, as if never members of it. They made their own laws, and enforced them. Disregarded all laws made by the Union, and we could not, and did not, for four years compel obedience to them.

Now, I presume, it will not be denied by any one, that had a rebel appeared at Washington during the rebellion, and claimed a seat in the Senate, or in the House, as a representative from a constituency, at the time in arms, attempting to destroy the nation, the Senate or House in which his application was made, would have had a clear right to reject the claim. Wherefore, on what ground could they have so determined? Simply, for the reason that he was a rebel, and his constituency in like condition with himself. What is the difference between then and now? They are still in the same position as then, only that they are not in arms. The rebellion is only conquered so far as to disarm the soldiers and officers.

Hear what General Thomas says as to the condition of these States, in his evidence lately given before the Re-construction Committee at Washington:

"I do not think it would be expedient to remove the troops until people show that they are themselves willing and determined to execute civil law with impartial justice to all parties. I think public sentiment is divided on the subject of allowing freedmen to become freeholders. I have heard of no legislation on that subject, either to empower them to become freeholders, or to prohibit them from becoming such. If

national troops and the Freedmen's Bureau were to be withdrawn from the State at this time, I do not believe that the Union men or the freedmen could have justice done them. Injustice toward them would commence in suits in courts for petty offenses and neighborhood combinations to annoy them so much that they could not reside there. I am satisfied that until a better state of feeling shall arise there, if all restraint should be removed, the freedmen would be thrown back into a condition of virtual slavery—that is, they would be compelled by legislative enactments to labor for little or no wages, and legislation would assume such a form that they would not dare leave their employers for fear of punishment; and unless white men who had led Union men through the war had very strong personal friends, they could not live in the State. They would be annoyed so much in various ways that they could not live there in any peace or comfort."

Listen to the evidence of General Saxton, as to the condition of affairs in the States of Georgia, South Carolina and Florida. He says:

"Among the great majority of the white population, hatred to Yankees is thorough and intense. If the United States military forces were to be withdrawn, it would be hardly possible for Northern men and Union men to remain there, particularly those who had taken any prominent part on the side of the Government. The object which the freedmen has most at heart is the purchase of land. They all desire to get small homesteads, and to locate themselves upon them, and there is scarcely any sacrifice too great for them to make to accomplish this object. I believe it is the policy of the majority of their former owners to prevent negroes from becoming landholders. They desire to keep negroes landless and as nearly in a condition of slavery as possible."

Hear what General Grierson says, as to the causes of this, and the effects of misjudged leniency on them:

"Q. To what do you attribute the change of sentiment between the time of Lee's surrender and later on? A. That would only be a matter of opinion. I think if the disloyal had been dealt with more severely there would have been less dissatisfaction and more loyalty in the South to-day; their demands have steadily increased; at the time I left they complained that their Congressmen were not admitted, and they seemed to think that on that account they were an injured people. I think that every Congressman elected in the State of Alabama was elected by reason of his devotion to the cause of the Rebellion. Some of them served at Richmond as Congressmen, and others as officers in the Rebel army, but in no case that I know of was a loyal man elected. The truly loyal people of Alabama do not wish the present elected Congressmen and Senators from that State admitted into Congress."

The evidence is abundant and conclusive to this point.

Our right to reject the rebels during the war, will stand on the ground of the right of self-preservation. Had we allowed them to come

into the two Houses of Congress with sword and bayonet and revolver, how long could our national existence have been maintained? Not an hour. And it seems to me no one can deny the right to exclude these States during their armed rebellion.

But it is said they are States; and with all the rights of a State, they could not legally secede, and their act of secession was a mere nullity; and the moment they were conquered, their rights revived in full force. Certainly, a most remarkable corollary, and from singular premises.

The only difference then, between the people of the South during the rebellion, and their representatives who are now asking admission into Congress, is, that the one fought with the bayonet to carry out his disunion principles and the other seeks an entrance into Congress to carry them into effect with the ballot. We have fought and conquered them with the bullet, and I trust in a kind Providence, if we are only true and faithful to the great principles which have actuated us in the past, we may yet fight and conquer them with ballots.

But let us not, while trusting Providence, forget that we are expected to "watch as well as pray," and above all that we should not fail to use the worldly weapons the law has furnished to our hands, in order to defeat the machinations of our enemies, and let us impose such conditions, as will in all future time relieve us from this overshadowing danger.

The first resolution before us to my mind clearly enunciates this right.

It declares that such State must, in order to entitle it to representation, "present itself, not only in an attitude of actual loyalty and harmony, but in the persons of representatives whose loyalty cannot be questioned," and that each House of Congress "has full power to determine for itself, when the constituency or the representative meets the conditions above set forth."

To my mind, this resolution in plain and vigorous language declares that in the two houses is vested the exclusive control of this whole subject, and with the express power to impose such conditions as they may deem essential to satisfy them that the constituencies claiming to be represented occupy "an attitude of actual loyalty and harmony," and that the representative is himself loyal. These States are thus to be excluded, till they are loyal and harmonious to the government, and the two Houses are to determine when such states occupy this position.

The two Houses may undoubtedly prescribe their own rules, and the evidence of compliance. The resolution in substance so states, and properly to.

Would not the two Houses have power to say that a State, which, at the same session it appointed a representative to the Senate of the United States, had enacted a law to raise and maintain an armed force, or to send an embassy to England, was not in a state of loyalty and harmony to the government? Certainly it would, and why, because these acts would show the existence of a hostile feeling on

the part of the State sufficient to amply justify the rejection of their claim to representation.

So also, if any of these states refused or neglected to pass the laws which in the judgment of the two Houses, were requisite to show that the states were loyal and harmonious to the Government, such for instance as a disavowal of the claim for compensation for slaves emancipated during the war, or that of taxation for the purpose of paying the rebel war debt, such refusal or omission would, the two Houses being the exclusive judges, entitle them to reject the claim to representation.

Then as to whether legislation is necessary in order to protect the loyal people of the South?

The two houses of congress in order to relieve and protect the freedmen, lately passed what is called the Freedmen's Bureau bill, by which he is placed under the shield of the government.

This act, so necessary, as we have seen, has just been vetoed by the president. He makes some objections to the details of the act—but no one can read his message and fail to see that it is the measure and not the details, that meet his disapproval.

He objects to it as unnecessary and inexpedient, omitting however, to meet one other great reason for its necessity, that it was passed since the congress by the amendment to the constitution, obtained the power, to pass it as a permanent act.

The President objects also to the bill, that it is unconstitutional. He forgets or ignores the great amendment to the Constitution, by which slavery was abolished and the Congress was authorized to pass laws necessary to enforce the amendment. This very Freedmen's bill is one of the laws deemed necessary by Congress to effectuate the provision. The necessity for it arose from the amendment being ordained as part of the fundamental law. Without these and similar provisions protecting the freedmen, his enfranchisement is merely nominal, as has been already shown. The President further objects, that there is an existing Freedman's Bill, which does not expire until one year after the closing of the war, and that there is time abundant yet to pass a law if necessary. He forgets that there will be thousands at the South to claim, and State courts ready to decide, as soon as Congress adjourns, that the war closed in May last. Why leave any doubt on the subject?

As to this objection of unconstitutionality to the Freedmen's Bureau act, if there was any foundation for it, why was it never made to the Indian Bureau act? It is well known that the government from an early period was compelled to take the Indian race under its care as its wards. The reasons for this were in many respects the same as those which now compel the founding of the Freedmen's Bureau. The Indian was of separate race, the white man was steadily depriving him of his property and his rights, and it was seen that unless the government interfered the Indian race would be destroyed to the eternal disgrace and infamy of

the dominant race. By this act the Indian is placed under the protection of the government. Agents are appointed and justice is administered among them, and above all, any white man who deals unjustly by them is punished according to his deserts. In distress or in famine, the Indian is fed by the government, and in sickness he has medicine and medical attendance at the expense of the Government.

No one ever heard the objection that these proceedings were unlawful, or this act unconstitutional.

It may be claimed that this is all founded on treaties with the Indians, and duties arising therefrom. The payments made no doubt often have been, but the duty is higher than any mere treaty right; it arises from the sacred right which every person, born on the soil of a nation, has to its protection—to full security for his person and property.

The African race, like that of the Indian, has peculiar claims to these rights—claims on our justice, if not on our humanity, and we cannot disregard them without national dishonor.

But the veto message further says, "That he," the freedman, "possesses a perfect right to change his place of abode, and if, therefore, he does not find in one community or State a mode of life suitable to his desires, or proper remuneration for his labors, he can move to another, where labor is more esteemed and better regarded."

The president forgets that it is the freedman's bureau that enables him to "change his place of abode;" and that if he had not that protection and made an effort to go in search of labor, leaving a master who misused or did not pay him, seeking that place "where labor was more esteemed and better regarded," he would be arrested as a "disorderly person," would be convicted of this crime before his master's court, and would be bound in the fetters of slavery again as firmly as ever.

It is from the dreadful effects of this judicial blindness of the South that the act, vetoed by the president, sought to guard the freedman; and it is this veto which leaves them unprotected to the passions of the secesh and rebel of the South.

The President in his annual message, only in December last, says that: "Good faith requires the security of the freedmen in their liberties and their property, their right to labor and their right to claim the just return of their labor." And how shall this right be enforced, is the first question that arises; because it cannot be that the President intended by this language to state an aphorism, or merely declare an abstract proposition. He no doubt intended to use the language as a part of his constitutional duty, in recommending such measures of legislation to Congress, as he deemed expedient. He therefore substantially recommended to Congress to provide for the security of the freedmen, in his liberty and property, and his right to labor and to receive a just compensation therefor. The President had thus performed his duty, and was Congress negligent or inat-



tentive to theirs? Not at all. On the contrary, we find that the subject of the freedman, his condition, and right to protection, received proper attention in both Houses. The result was the "Freedmen's bill," so called, and which, as we have seen, has been vetoed.

It is said by some that there is no need of any act on the subject, and that the amendment of the constitution will be executed by the courts of the United States. Those who argue thus can have no adequate conception of the feeling at the South, and the result certain to flow from treating the Southern rebels with what I may call the sugar and molasses treatment, instead of the stern and strict rule which should always follow great crimes committed by large communities.

They now nourish the most bitter hatred to this nation, and only desire two things at our hands—to discharge the Freedmen's Bureau, and withdraw the Union soldiers from their borders; these done, and the questions of freedmen's rights, whether personal or political, would soon be determined in a manner that would horrify the conscience of the North, but too late for successful intervention.

It is under these circumstances, Mr. President, that we are in session and have these resolutions under discussion, and I cannot refrain from solemnly urging that this hour has its teachings. "He who will not profit by the lessons of the past," says an old proverb, "has lived his life in vain." Shall we be thus chargeable? Shall we, having done these mighty works, now take our rest and "eat, drink and be merry," taking no thought of the past, and *no care for the future*. If we do, we have indeed "lived in vain," and in the hereafter in this life, there will be no thought more harrowing than that, which, at work or at leisure, will surely ever be with us, that we suffered our children and brothers to die for a cause they could not save, and which *we* miserably lost, through our bickerings, our listlessness, our follies or our crimes.

Mr. President, we are living in a time of great events, we do not realize the fact, but it is so, and when the history of the past five years is written, there will not in the history of the world, have been so many mighty things crowded into the same short space of time as has occurred during that period, to this nation. The simple truth is stranger than any fiction, and romance is turned into reality.

In the beginning, nearly half of this nation, for the purpose of extending and perpetuating the institution of slavery, were organizing a rebellion against the Union. Armies were raised to defeat the rebels; but the forces on each side, for a considerable time, made no great head against the other; then larger armies were raised and mighty battles fought, but still no positive and finishing stroke; then *Antietam*, with its dreadful slaughter and its nearly balanced termination; and then came the decree of EMANCIPATION, and the shackles fell from the arms of the southern slaves, and with a single stroke, four millions were added to the Union side, and taken from the rebels; not mere *animals*, but human-ity, with *souls*, as well as *bodies*. Moses did

mighty things in Egypt, when he led out the children of Israel from *their* bondage, but he did nothing equal to this; and *then*, he was forty years in the work, but this was done, as it were, with a word.

In the mighty problems of God's providence, was ever anything like this?

Before the rebellion the institution of slavery was as safe as anything created by man could be—it was the corner stone of the South, and of the two great parties of the North, it was difficult to prove which had said the most, or done the most to secure its perpetuity—though the South unhesitatingly gave the palm to the Democracy, for they had never hesitated while the Whig party had made moral reservations or expressed qualms of conscience on the subject. But still both had resolved that it could not be meddled with in the States.

But the rebellion broke out, and with it war, and with war came all its consequences.

War, not being created or arising out of law, is not the creature of law, nor does it know or acknowledge obedience to law, and thus the institution of slavery, which absolute law only can create or maintain, had only brute force to sustain it, and fell to pieces because the force that kept it up was not equal to the emergency.

The South then found how true it was "that they who take the sword shall perish by the sword." Most righteous retribution. The very institution which the war was started to save, by the war was destroyed. War alone could have effluated this result, and that war must be one originated by the South, as the North would never have inaugurated it for that purpose. No civil strife, no exercise of national authority could have accomplished it, and yet it was done. The judicial blindness of the slaveholders nearly three thousand years since described in prophetic anticipation, as:

"That mad, furious power,  
Whose unrelenting mind  
No God can govern, and no justice bind,"

was the sole producing cause of this result.

Is this blindness of our southern brethren to continue? or will they accept the result, which the God of battles and of infinite justice has brought upon them for their wickedness and oppression?

Recent events *seem* to show that their eyes are not yet fully opened, or that they have not yet exhausted the vials of His wrath. That, taking encouragement from the Executive veto of a great measure for the permanent protection of the freedmen, and seeing the doughface politicians of the North emerging from the retirement into which the war had consigned them, and gathering courage from the aid thus furnished, and from the black-hearted spirit still unscathed within them, they are preparing new schemes to enable them to repossess their lost power over the freedmen, and that the villainous heresy and snake of secession is only "scotched and not killed, while we remain in danger of his former tooth." If so, then let us not forget that

"Freedom's battle once begun,  
Bequeathed from bleeding sire to son,  
Though baffled oft, is ever won."

But, Mr. President, it is urged that we must conciliate the south—that no enduring peace can be obtained without showing them that we have confidence in them, and that true statesmanship requires that we should bury our differences in the grave of oblivion, and seek by kindness and confidence to win the love of the south, and draw them over to our principles.

We tried the virtue of conciliation before this struggle begun—the north besought the south almost to its own abasement, to avoid this contest—but she would have it, and must take the consequences of her own violation of all laws, both human and divine. If we do not enforce now security for the future, we shall be unfaithful to our duty—regardless of the promises we have made, and of the faith we owe to the freedmen, and careless of the rights and interests of our posterity.

Shall we be thus guilty in the sight of God and man? We ask the people of the North, if with all the light of the past and all the hope of the future, they are willing to bury their hopes and the hopes of four millions of enfranchised human beings in that sepulchre? If so, let a tomb stone be erected over the grave of the great Union party, and let it bear the inscription that was written in the olden time of one who was treacherously slain at the hands of a professed friend:

“Died Abner as a fool dieth?  
Thy hands were not bound,  
Nor thy feet put into fetters;  
As a man falleth bef re wicked men,  
So fellest thou.”

Go ask yon father who sent his son to the war for the Union he loved so well; yon mother, who parted from him, with sorrow, oh such sorrow, as only a mother can feel, and yon sister, who in parting from him for the last time, threw her arms around him and tearfully bid him God speed. Go ask them if they are prepared to say that *their* great loss was all in vain.

And you, ye sainted, patriotic dead, whose bodies now lie mouldering in southern soil, the victims of starvation or cruelty in southern prisons, or of rebel bullets in the field, will your friends, your townsmen, mayhap your kith and kin, will they say that all this was without fruits, and that your great sacrifice was useless? Why, Sir, death from this war has been all around us.

“There is no flock howe’er watched or tended  
But one dead lamb is there;  
There is no fireside howso’er defended  
But has its vacant chair.

The air is full of farewells to the dying,  
And mournings for the dead;  
The heart of Rachel for her children crying  
Will not be comforted.”

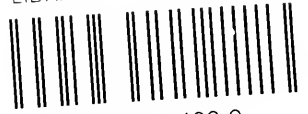
And is this the answer you will give to the mother in our Israel, who demands an account of you for the blood of her son, shed on the battlefield of freedom and the Union, that he died for a cause he could not save?

Never! never, let that be the answer to her agonizing cry, but rather that the people shall never stay their hands, never stop their efforts, till the principles for which he fought and died have become the head of the corner in our political system.

Let us preserve these principles, and protect, and, if necessary, extend them. For these purposes let us sustain and support these resolutions—let us hold up the hands and strengthen the arms of those unfaltering and unswerving representatives in Congress assembled, who have so gloriously battled and are still battling for the right, and let us unshrinkingly stand by the freedman and for his rights, and we shall illustrate in our lives the heroic principles of our fathers, and hand down to our posterity this glorious Union without one star dis severed from its national banner—without one shackled slave within our national borders.



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